

JS-6

**UNITED STATES DISTRICT COURT**  
**CENTRAL DISTRICT OF CALIFORNIA**

MYMEDICALRECORDS, INC.,

Plaintiff,

v.

WEBMD HEALTH CORP. and WEBMD  
HEALTH SERVICES GROUP, INC.,

Defendants.

Case No. 2:13-cv-07285-ODW (SHx)

**FINAL JUDGMENT**

Judge: Hon. Otis D. Wright, II

1 WHEREAS, Plaintiff MyMedicalRecords, Inc. (“MMR”) contended that  
2 Defendants WebMD Health Corp. and WebMD Health Services Group, Inc.  
3 (collectively, “WebMD”) infringe claims 1-3 of U.S. Patent No. 8,498,883 (“the  
4 Asserted Claims of the ’883 patent”) and claims 8-12 of U.S. Patent No. 8,301,466 (“the  
5 Asserted Claims of the ’466 Patent”);

6 WHEREAS, on November 17, 2014, WebMD filed a Motion for Summary  
7 Judgment that the Asserted Claims of the ’883 Patent are invalid as indefinite under 35  
8 U.S.C. § 112 (“Motion for Summary Judgment,” *MyMedicalRecords, Inc. v. Walgreen*  
9 *Co.*, Case No. 2:13-cv-00631-ODW (SHx), ECF No. 91);

10 WHEREAS, on December 22, 2014, the Court issued an order granting the  
11 Motion for Summary Judgment and holding that the Asserted Claims of the ’883 Patent  
12 are invalid as indefinite under 35 U.S.C. § 112 (ECF No. 79);

13 WHEREAS, on November 17, 2014, WebMD filed a Motion for Judgment on the  
14 Pleadings that the Asserted Claims of the ’466 Patent are invalid as unpatentable under  
15 35 U.S.C. § 101 (“Motion for Judgment on the Pleadings,” *MyMedicalRecords, Inc. v.*  
16 *Walgreen Co.*, Case No. 2:13-cv-00631-ODW (SHx), ECF No. 90);

17 WHEREAS, on December 23, 2014, the Court issued an order granting the  
18 Motion for Judgment on the Pleadings and holding that the Asserted Claims of the ’466  
19 Patent are invalid as unpatentable under 35 U.S.C. § 101 (ECF No. 81); and,

20 WHEREAS, in view of the Court’s Orders, final judgment should be entered.

21 **IT IS HEREBY ORDERED AND ADJUDGED THAT:**

- 22 1. The Asserted Claims of the ’883 Patent are invalid as indefinite under 35  
23 U.S.C. § 112;
  - 24 2. The Asserted Claims of the ’466 Patent are invalid as unpatentable under  
25 35 U.S.C. § 101;
  - 26 3. Final judgment is entered in favor of WebMD;
  - 27 4. MMR takes nothing from WebMD;
- 28

- 1        5. Pursuant to L.R. 54-1, WebMD is the prevailing party in this action and its
- 2        costs shall be taxed against MMR;
- 3        6. Pursuant to L.R. 54-2 and L.R. 54-10, any motions or applications for costs
- 4        or attorneys' fees shall be served and filed within fourteen (14) days after
- 5        the entry of this Final Judgment; and,
- 6        7. This case is dismissed with **PREJUDICE** and the Clerk of Court shall
- 7        close this case.

8        **IT IS SO ORDERED.**



11 DATED: January 9, 2015

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**OTIS D. WRIGHT, II**  
**UNITED STATES DISTRICT JUDGE**